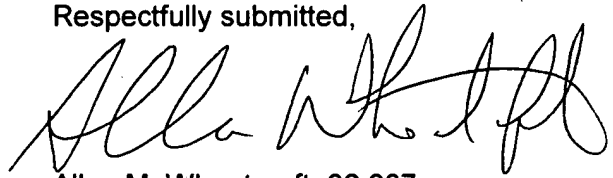


Specifically with reference to F10, a preferred perfluoro-polyether phosphate of the present invention, it is surprising that this material functions as a wetting agent for KOH. The product literature available for F10, such as "FLUOROLINK® Surface Treating Agents" (released April 2000), promotes its use as a barrier coating material to provide surface properties such as oil/water repellency. It is thus unexpected that it actually facilitates penetration of the KOH into the ePTFE. See Specification at page 9, lines 19-25.

The Official Action dismisses this evidence of surprising results as unpersuasive because "The role of the product literature with regard to oil/water is not equivalent to the use of the material in the reference. Oil is not a substance used in the electrolytes of record and the comment from the product literature does not discuss KOH electrolytes." Although oil is indeed not a substance used in the electrolytes of record, water certainly is. The material cited in example 1 of Oka has an electrolyte is an "aqueous potassium hydroxide". Accordingly, evidence that a perfluorinated-polyether phosphate repels water indeed teaches against its use in combination with a aqueous-based electrolyte. Accordingly, the reasons given for dismissing applicants' evidence are traversed. Reconsideration is respectfully requested. The remaining claims depend from claim 1 and are allowable for the same reasons.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Allan M. Wheatcraft", written over a horizontal line.

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